

USEPA Media Responses Hunters Pt Apr 1 to 13, 2018

Sent to Chris Roberts, SF Curbed, Fri, April 13, 2018

Q1: Was the "scanner van" also used to scan other parcels on the shipyard remediated by the Navy? If so, where and when? [Restated question:] Were the other parcels scanned by EPA *after* Tetra Tech remediation work in the years that followed, i.e. 2004 to 2016?

EPA has not done any rescanning of whole parcels after the Tetra Tech remediation work.

Q2: You say that Building 322 was scanned by the Navy and demolished, and that EPA has "no reason to question any cleanup work" on that Parcel. However, according to the Navy, Building 322 was scanned by Tetra Tech, the same firm whose data is now called into question all over the base. And according to the draft radiological findings report for buildings, there was no data for that building. Does EPA's contention that there is "no reason to question" the work stand, in light of Tetra Tech's apparent fraud? If so, how can we trust this work, and not other work?

Yes, we stand by our previous statement that we have no reason to question any cleanup work performed on Parcel A. Following the removal of Building 322 and a Tetra Tech scan of the building footprint, an EPA health physicist conducted an independent scan of the area to confirm that the former building site was clean. The health physicist did not detect any radiological contamination, so the site was determined to be transferable without restriction.

From: Huitric, Michele

Sent: Friday, April 13, 2018 12:23 PM

To: Chesnutt, John <Chesnutt.John@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>; Lane, Jackie <Lane.Jackie@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>

Cc: Huitric, Michele <Huitric.Michele@epa.gov>

Subject: FYI - final response to Inside EPA re: HPNS

FYI – here is the final response to Inside EPA’s questions on HPNS; I’ve just now sent it to the reporter. thanks!

Q1. Has EPA followed-up with the Navy -- is it requiring the Navy to re-take samples on 90 percent and 97 percent of those parcels to see if additional cleanup is needed before land transfer?

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done. The final plan for resampling is not yet complete, though the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech.

Q2. Who will be re-taking any samples? Is it the same contractor, Tetra Tech, or someone else?

The Navy is using a third-party independent contractor; Tetra Tech will not be involved in this effort. EPA and the state regulators will be overseeing this process and taking split samples for independent analysis.

Q3. When will EPA be done with reviewing the other parcels at Hunters Point to see if the Navy was correct in determining how much of the sampling has signs of potential falsification, etc.?

EPA sent the Navy the results of our independent review of Parcels B and G on December 29, 2017 and of Parcels D-2, UC-1, UC-2, and UC-3 on March 30, 2018. EPA is currently reviewing reports on Parcels E and C, and a report on various buildings located on the Hunters Point Naval Shipyard site. Per Q1, regardless of the amount of falsification, the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech. EPA's final review comments will help inform where the resampling will be done.

Q4. Is EPA investigating the use of Tetra Tech in cleanup contractors elsewhere, either in Region 9 or across the country? If so, can you offer details on when that investigation was launched and what it entails?

Any ongoing investigation by EPA would be of a confidential nature and therefore not something we could discuss.

Q5. Does EPA have any explanation for the discrepancy between EPA and the Navy over the review of sampling? Why such a difference in findings?

Please see the attached report for EPA's findings from our independent review of Parcels B and G soil sample data. In regards to the discrepancy in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results. Please let us know if you have any specific questions about the report.

From: Huitric, Michele

Sent: Thursday, April 12, 2018 8:13 PM

To: Millner, Caille <[[HYPERLINK "mailto:CMillner@sfchronicle.com"](mailto:CMillner@sfchronicle.com)] >

Cc: Huitric, Michele <[[HYPERLINK "mailto:Huitric.Michele@epa.gov"](mailto:Huitric.Michele@epa.gov)] >

Subject: Re: Hunters Point shipyard soil review

Hi Caille,

Please see below.

Thanks,

Michele

Questions:

Q1 - What does “97% of survey units” mean in terms of clean-up? (Is that months, years, or just impossible?)

Q2 - Has the Navy responded to the numbers in the EPA’s review?

Q3 - Did the EPA look at the soil results for areas where people are currently living/working on the property? (e.g. the artists studios in Parcel B, the new homes that were most recently built?)

Response:

Q1 and Q2:

The Navy will be resampling the impacted parcels and will rely on these new data to determine where additional cleanup may be needed. EPA’s input, which is based on our independent review of the data, will help inform where the resampling will be done. The final plan for resampling is not yet complete, though the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech EC Inc. The resampling results will determine how much additional cleanup may be needed, so at this time we are unable to predict how long that cleanup may take.

Q3:

The Navy transferred Parcels D-2, UC-1, and UC-2 to San Francisco in 2015, and construction on new projects within these parcels is only allowed with a specific work plan approved by the regulatory agencies. As part of the review process for any new construction proposals, EPA and its state regulatory partners assess any potential concern about radiological exposure and any other hazardous contaminants.

For example, EPA reviewed the draft workplan for the new artists’ building, part of which is located on Parcel UC-2, before construction started. We researched the locations closest to the artists’ building where Tetra Tech EC Inc. had done trench and other radiation cleanup work. None of the radiological work that is in question lies within the boundaries of the artists’ building work. Therefore, EPA has no concern about radiological exposure—or any other hazardous contaminants—associated with construction of the artists’ building.

EPA also has previously evaluated the potential current exposure to radiation at Parcel A, where the new homes have been built. We have no reason to question any cleanup work performed on Parcel A. Historically, the majority of Parcel A was used for residences and administrative offices, not industrial activities. The only radiological materials found at Parcel A were sandblast grit and firebricks, and these have since been removed. Former Buildings 322, 816, and 821 had potential for radiological contamination. The Navy scanned all three buildings and did not find radiological contamination above required cleanup levels. Buildings 322 and 816 were

demolished and removed. Building 821 is located on Crisp Road, not in the developed portion of Parcel A. No other sources of radiological contamination were identified during the investigation or cleanup of Parcel A. In 2002, EPA conducted a radiological scanner van survey of Parcel A and navigable roads on other parts of the shipyard. All of the anomalies detected during the scan were attributable to natural occurring sources at levels consistent with what would normally be found in the environment.

From: Huitric, Michele
Sent: Thursday, April 12, 2018 2:32 PM
To: Chesnutt, John <Chesnutt.John@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>; Lane, Jackie <Lane.Jackie@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>
Cc: Huitric, Michele <Huitric.Michele@epa.gov>
Subject: FYI - Final responses to KQED (4/12)

FYI, two queries came in from KQED today; they are both closed now.

KQED Forum - Editor asked for EPA to take part in their live call-in program, discussing Hunters Point cleanup and soil sampling. I declined the request and offered to send information if he had specific questions.

KQED - Reporter Ted Goldberg asked for "EPA's statement on the recent disclosure of the agency's report showing more fraudulent soil testing data at Hunters Point." I provided him the previously-cleared response (below).

From: Huitric, Michele
Sent: Thursday, April 12, 2018 12:50 PM
To: 'Ted Goldberg' <[[HYPERLINK "mailto:tgoldberg@KQED.org"](mailto:tgoldberg@KQED.org)]>
Subject: RE: KQED Question

Hi Ted,

Please see below for some basic information; let me know if you have any questions.

Thanks,
Michele

Please see attached for the report in question, which EPA sent to the Navy on December 29, 2017. The report shows EPA's findings from our independent review of Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

From: Huitric, Michele

Sent: Wednesday, April 11, 2018 3:42 PM

To: Chesnutt, John <Chesnutt.John@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>; Lane, Jackie <Lane.Jackie@epa.gov>; Huang, Judy <Huang.Judy@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>

Cc: Huitric, Michele <Huitric.Michele@epa.gov>

Subject: Final response to SF Chronicle re HPNS

FYI, Chronicle reporter Cynthia Dizikes called me asking for a basic update about HPNS and the info from PEER press release. I provided her the previously-cleared message below, and asked her to let me know if she had any follow-up questions. Since she was also asking about timing of future reports, I directed her to the Navy.

Hi Cynthia,

Sorry about the delay. Please see below. And here is the contact information for the press officer for the Navy: William Franklin, U.S. Navy Public Affairs Officer, (619) 524-5433.

Thanks,

Michele

Please see attached for the report in question, which EPA sent to the Navy on December 29, 2017. The report shows EPA's findings from our independent review of Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

-----Original Message-----

From: Huitric, Michele

Sent: Wednesday, April 11, 2018 10:05 AM

To: Chesnutt, John <Chesnutt.John@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>; Lane, Jackie <Lane.Jackie@epa.gov>; Huang, Judy <Huang.Judy@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>

Cc: Huitric, Michele <Huitric.Michele@epa.gov>

Subject: Final response to KQED (4/10)

-----Original Message-----

From: Huitric, Michele

Sent: Tuesday, April 10, 2018 1:12 PM

To: 'Lesley McClurg' <[[HYPERLINK "mailto:lmclurg@KQED.org"](mailto:lmclurg@KQED.org)] >

Subject: RE: Media Request (TODAY)

Hi Lesley,

Please see below for our response. By the way, in regards to your question about different agencies: the Navy is the lead agency responsible for the investigation and cleanup of the Hunters Point Naval Shipyard. EPA and its state regulatory agency partners oversee and enforce Navy compliance with the Comprehensive Environmental Response Compensation and Liability Act (commonly called the Superfund law) and other requirements to ensure the cleanup at HPNS protects human health and the environment. Here is the contact information for the press officer for the Navy: William Franklin, U.S. Navy Public Affairs Officer, (619) 524-5433.

Best,
Michele

Response:

Please see attached for the report in question, which EPA sent to the Navy on December 29, 2017. The report shows EPA's findings from our independent review of Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

From: Huitric, Michele

Sent: Wednesday, April 11, 2018 9:58 AM

To: Chesnutt, John <Chesnutt.John@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>; Lane, Jackie <Lane.Jackie@epa.gov>; Huang, Judy <Huang.Judy@epa.gov>

Cc: Huitric, Michele <Huitric.Michele@epa.gov>

Subject: Final response to SF Curbed

FYI – HQ signed off on our SF Curbed response. Here is what I sent Chris Roberts this morning.

Questions:

- Wanted to see what the best way to discuss with EPA the findings from the most recent radiological findings report from the Hunters Point shipyard -- these, related to buildings -- might be. As the report says, the cleanup data from buildings appears to have been falsified--but the report also says that a building on Parcel A, building 322, was scanned and declared clear by Tetra Tech back in 2004. Based on what we know now, can that declaration be trusted? And in any event, how can we be certain that that building is in fact clean and poses no danger to the environment or the public--and what, if any, actions will be taken as a result? [Also, paraphrased from reporter's voicemail: Whistleblowers have declared that Parcel A had contamination; how are those concerns being addressed?]

- Also, it looks like the EPA is also reviewing Tetra Tech's data. Has EPA produced comments on all of the Navy's draft radiological findings reports? Will EPA provide copies of all comments on the draft radiological findings reports produced to date?
- Today, an organization called PEER put out a release in which the EPA's comments on the US Navy's draft radiological findings reports from the former Navy shipyard at Hunters Point in San Francisco, an EPA Superfund site, were published. But only the EPA comments on Parcels B and G were obtained. Has the EPA commented on the draft radiological findings reports from the other parcels? If so, can EPA provide those documents?
- I understand that prior to the transfer, EPA ran a "scan van" over Parcel A and collected its own cleanup data to verify the Navy's. Is that accurate? Can you provide those findings? And was the "scan van" run over other parts of the base after other Navy cleanup?

Response:

We have no reason to question any cleanup work performed on Parcel A. Historically, the majority of Parcel A was used for residences and administrative offices, not industrial activities.

The only radiological materials found at Parcel A were sandblast grit and firebricks, these have since been removed. Former Buildings 322, 816, and 821 had potential for radiological contamination. The Navy scanned all three buildings and did not find radiological contamination above required cleanup levels. Buildings 322 and 816 were demolished and removed. Building 821 is located on Crisp Road, not in the developed portion of Parcel A. No other sources of radiological contamination were identified during the investigation or cleanup of Parcel A. In 2002, EPA conducted a radiological scanner van survey of Parcel A and navigable roads on other parts of the Shipyard (please see attached report). All of the anomalies detected during the scan were attributable to natural occurring sources at levels consistent with what would normally be found in the environment.

Please see attached for copies of EPA's independent review of Parcels B and G (attachment #1) and Parcels D-2, UC-1, UC-2, and UC-3 (attachment #2). Please note, for the report on Parcels D-2, UC-1, UC-2, and UC-3 (attachment #2), there is a small typo in Table 2. Where it says "71%" in the last row of Table 2, it should actually say "85%". Please let us know if you have any specific questions about these reports.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

From: Huitric, Michele
Sent: Monday, April 9, 2018 4:31 PM
To: Chesnutt, John <Chesnutt.John@epa.gov>
Cc: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>; Huitric, Michele <Huitric.Michele@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>
Subject: FYI - Cleared media responses

Hi John –

Here are the final/cleared responses, which I am sending to reporters now, in case you want to share with Navy, et al.

We can finish working on CurbedSF tomorrow.

Thanks to everyone for your speedy help today!

Michele

NBC Bay Area

Question: I was just sent the following press release regarding the EPA's review of soil samples at Hunters Point. The organization "PEER" reviewed EPA records and learned the EPA found between 90 and 97 percent of the samples at Parcels B and G reexamined by the agency are "neither reliable nor defensible." These percentages appear to be much higher than the Navy's percentages for Parcels B and G. Can the EPA please help explain this discrepancy?

Response: Please see the attached report for EPA's findings from our independent review of Parcels B and G soil sample data. In regards to the discrepancy in the percentages, EPA's assessment of the data included looking more closely for signs of

potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results. Please let us know if you have any specific questions about the report.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

SF Examiner – Reporter said she had heard that EPA had released a report saying that contamination numbers are higher than what Navy had previously reported.

Response: Please see attached for the report in question, which EPA sent to the Navy on December 29, 2017. The report shows EPA's findings from our independent review of Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

SF Business Times - Reporter said she had seen the PEER report saying that EPA documents show that soil sample falsification is greater than previously reported. She is asking 1) if the documents in question are official EPA documents, and 2) what happens next (eg, will we ask Navy to re-do all testing?)?

Response: Yes, the report in question is an official EPA document; please see attached for the full report. The report shows EPA's findings from our independent review of

Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.